

Chapter 2

Notes

Chemical Emergencies, The Law, and Your Role

Objectives

After completing this chapter, trainees will be able to:

- ▶ Recognize the difference between a HazMat emergency that requires specially trained responders and a spill that you can handle.
- ▶ Discuss how the OSHA Hazwoper standard applies to you and your work.
- ▶ Identify the four basic measures your employer should take to protect you in case of a chemical emergency.
- ▶ Describe the limits of your role as an Awareness level responder in an emergency.

Introduction

The last chapter discussed HazMat emergencies and workers like you. OSHA has a law to protect workers in these emergencies. This section will discuss what exactly a chemical emergency is, and what are the limits of your role until you have had further training and protective equipment.

What is an Emergency?

Definition

According to OSHA, a hazardous materials emergency is a spill or leak that you and the workers in your area cannot handle safely on your own. OSHA calls this an “uncontrolled release” of a hazardous substance.

A spill or leak becomes an emergency IF:

- You see a large amount of material spilled.
- You need special training and equipment to protect yourself from the spilled chemicals.
- You don't know what chemical is leaking. The spill is an “unknown.”
- The leaking chemical is very dangerous or irritating such as chlorine or ammonia. Even a small amount of this kind of chemical creates an emergency.
- The spill is in a confined space where there is not much air movement.

For example:

You are unloading a semi and discover a liquid leaking out of the trailer or out of a drum. You don't know what chemical is leaking.

One pound of Chlordane (a very poisonous pesticide) spills in the storage room.

A five-gallon container of gasoline spills in a hot boiler room. If this happened outside, it would be a spill that you could handle with the proper equipment, not an emergency.

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A barrel full of road striping paint spills in the garage.

A tanker full of chocolate sauce overturns on the highway and dumps its contents into a drainage ditch. (Don't laugh, this really happened.) The drainage ditch led to a stream. All the fish and plants in the stream were killed.

Put it in writing -- Emergency Response Plan (ERP)

Your employer must decide ahead of time which spills you can handle and which ones are emergencies. This information goes in the written Emergency Response Plan for your facility. The Health and Safety Committee at your workplace should review the plan and make sure that it really protects workers.

In 1986, the Occupational Safety and Health Administration (OSHA) wrote a law, or standard, to protect the health and safety of workers who handle hazardous waste or respond to chemical emergencies. That standard is the called the Hazardous Waste Operations and Emergency Response rule and commonly called Hazwoper for short.

It is also called 29 CFR 1910.120, which refers to the standardized system the Federal government uses to index all of its regulations. A copy of this standard is in Appendix E of this manual.

The part of the Hazwoper standard that focuses on emergency responders is section q of the Hazwoper standard.

All Public Employees Covered by Hazwoper

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OSHA provides protection for most private sector workers across the United States. Public employees are protected by OSHA standards in states that have federally approved “state plans” – less than half of the states.* Nine other states have non-approved OSHA plans. Often they have adopted OSHA standards into state law and provide coverage themselves.

If you work in these states and have questions about Hazwoper, you can call the agency in your state that is responsible for worker health and safety. A list of the state agencies and how to contact them is in an Appendix. Of course, you can call this same agency if you have questions or concerns about other aspects of your job’s safety.

Environmental Protection Agency (EPA) – If You are Not Covered by OSHA

After OSHA adopted the Hazwoper standard, the Environmental Protection Agency adopted the exact same standard to protect public employees in states that do not have OSHA coverage for public workers. If you live in one of these states and have questions or concerns about your employer’s compliance with Hazwoper, call the nearest federal EPA office. The specific EPA regulation that extends Hazwoper protections to public employees is found in 40 CFR 311. EPA offices are listed in the Appendix.

* States with state OSHA plans: AK, AZ, CA, CT, HI, IN, IA, KY, MD, MI, MN, NV, NM, NY, NC, OR, SC, TN, UT, VT, VA, WA, WY. States with public employee OSHA plans that are not federally approved: DC, FL, IL, KA, ME, NJ, OH, OK, WI

Four Elements of Hazwoper Standard

The emergency response section of Hazwoper (paragraph q) sets out several actions that an employer must follow to help prevent emergencies, and protect workers if a chemical emergency does take place. Here are the 4 most important requirements:

- 1) **Specific personnel roles** – Hazwoper divides emergency response roles into 5 categories, and describes the skills that each responder must be able to perform. You are being trained at the "awareness" level today. An employer must figure out what role each employee will carry out in case of an emergency and make these assignments in advance.
- 2) **Training** - Employers must train workers who may respond to chemical emergencies. The standard sets out the initial number of hours that an employee must receive and requires an annual refresher for every emergency responder, no matter what level.
- 3) **Emergency Response Plan** – An employer must prepare a written plan that explains how to respond to emergencies for the specific chemicals that employees are likely to encounter. If you work at a wastewater plant, then the plan must explain what to do if any of the chemicals on site spill or leak. The plan must also explain what to do if a HazMat comes into your plant from a spill somewhere else.
- 4) **Incident Command System** – Only one person can be in charge of any emergency in order to control and coordinate the response. This person is the incident commander (IC) and makes decisions about whom will do what and how to proceed based on the specific conditions of the situation. All communications must go through the Incident Commander. The IC must assign a *safety officer* who has the job of looking out for the health and safety of responders. The IC must be named in the Emergency Response Plan for your facility as well as how to contact him/her.

Levels of Emergency Response – What's Your Role?

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OSHA's HAZWOPER standard sets out 5 levels of emergency responders with specific roles to perform. This course is designed to train you at the First Responder Awareness Level. Here's what that means and the four other roles:

The Hazwoper Levels of Training

Name	Role
First Responder Awareness Level	Discovers spill and notifies authorities - <i>Your role</i>
First Responder Operations Level	Contains release from a safe distance, keeps it from spreading
HazMat Technician	Stops release by plugging/patching containers.
HazMat Specialist	Works with, supports technician.
Incident Commander	Takes charge of response.

Now You Know Your Role,

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Here's What Else You Need to Know

OSHA says that your employer is supposed to provide you with training so that you can carry out the following:

- Understand hazardous materials and the risks associated with them.
- Understand the potential outcomes of a hazardous materials emergency.
- Recognize the presence of hazardous materials
- Identify hazardous materials.
- Understand your role in your employer's emergency response plan, including site security and control.
- Know how to use the U.S. Department of Transportation Emergency Response Guidebook.
- Realize the need for additional resources and making appropriate notifications.

The rest of this course is designed to help you better understand and practice each of these topics.

The Law and Your Role

Key Points 2

- 1) A hazardous materials emergency is an uncontrolled spill that you and your co-workers in your area can not handle safely on your own.
- 2) This program trains you for First Responder Awareness level. Awareness Level trains you on what to do if you find an emergency-at your worksite or out in public. Your job is to size up the situation quickly and safely and notify authorities who can help.
- 3) You cannot go beyond the awareness role without additional training and equipment.
- 4) According to the Hazwoper law, employers must develop a written emergency response plan to prepare for emergencies you could face. This plan should include your role in the incident command system. The employer must then train you to the level specified in the plan.
- 5) The HAZWOPER Law covers all public sector workers. Your State OSHA agency enforces this law in states with State Plans.
- 6) The Environmental Protection Agency enforces the HAZWOPER laws in states without state plans.